

# **EXHIBIT 7**

## **DECLARATION OF TIM KENNEY**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

ASHTON WHITAKER, a minor, by his  
mother and next friend, MELISSA  
WHITAKER,

Plaintiff,

v.

KENOSHA UNIFIED SCHOOL DISTRICT  
NO. 1 BOARD OF EDUCATION and SUE  
SAVAGLIO-JARVIS, in her official capacity  
as Superintendent of the Kenosha Unified  
School District No. 1,

Defendants.

Civ. Action No. 2:16-cv-00943

**Declaration of Tim Kenney**

I, Tim Kenney, declare as follows:

1. My name is Tim Kenney. I am the principal of Shorewood High School in the Shorewood School District in Milwaukee, Wisconsin. I am in my fourth year as principal of Shorewood High School and have worked in the district for 20 years as a teacher, assistant principal, and principal.

2. I was principal of Shorewood High School, the only high school in the Shorewood School District, when our transgender inclusive policy was adopted in February 2014, and was responsible for the policy's implementation at Shorewood High school. As the policy was being drafted, I worked closely with the school board's policy committee because I had at least one transgender student at my school at the time and wanted to make sure that the policy would ensure that transgender students have a positive experience in school.

3. Our district's adoption of the policy was very public and received national media attention. Nevertheless, we have received no pushback or negative feedback from the community or from the students. If anything, we expected a bit of pushback from non-transgender students in our district, but we received none.

4. Prior to the 2014-2015 schoolyear, I introduced the policy to our high school staff at an in-service meeting. Frankly, the staff had a lot of angst around the policy's implementation. Some staff said that we were releasing the floodgates and opening a can of worms. Others said that boys would use this as an opportunity to go into the girls bathrooms. During the meeting, we talked through all of the staff's concerns and addressed the practicalities of transgender students using the restrooms that match their gender. The staff realized that having transgender students use the bathroom does not in any way decrease other students' privacy in the bathrooms. We also reassured staff that we would address any behavioral issues as they arose throughout the year. The focus of the meeting was helping the staff to understand that the policy was not going to be a big deal.

5. Implementation of the policy has been completely positive. We have been aware of three transgender students at our high school since the policy's implementation two years ago. Our transgender students are thriving at school and so are all of our students. We have had no issues in the bathrooms and all of the fears voiced by staff surrounding the policy have been unfounded. We have not had boys pretending to be girls to get into the girls bathrooms. We have had no concerns from students around privacy, i.e., no requests from students to use alternative bathrooms because they are uncomfortable sharing a bathroom with transgender students. I anticipated that any disruption would come from other students bullying the

transgender students, but because we have created an inclusive environment for our diverse student body and modeled equal treatment for everyone, this has not been an issue.

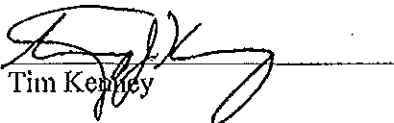
6. An inclusive policy is important because it does not single transgender students out for treatment that is different than their peers. Transgender students do not want extra attention; they are just trying to fit in like everyone else. They just want to use the bathroom. The only thing students should be worried about is their education and I do not want transgender students distracted about which bathroom they should use or not use. The policy is powerful in what it does not do. It does not treat any students differently and does not draw extra attention to transgender students. That is what makes the policy so effective and easy to implement.

7. Before working on our policy and before having our school's first transgender student that was known to us, this issue was completely new to me. But as an educator, I come from a perspective that I need to meet each student where they are and I need to give that student what they need. I remember looking in the mirror one day and thinking that I am 100% certain that I am male. I realized that my transgender student must have the same thought when he looks in the mirror and that we are very much the same. If you can get past your own discomfort and lack of familiarity, it is much easier to begin to treat people equally.

8. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 8, 2016

By:

  
Tim Kenney